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| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 7137P001 |
| | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/500,023 |
| INTERNATIONAL APPLICATION NO. PCT/KR02/01540 | INTERNATIONAL FILING DATE 13 August 2002 | PRIORITY DATE CLAIMED 20 December 2001 |
| TITLE OF INVENTION NEW PROCESS FOR THE PREPARATION OF OPTICALLY ACTIVE 2-[6-(SUBSTITUTED ALKYL)-1,3-DIOXAN-4-YL] ACETIC ACID DERIVATIVES | | |
| APPLICANT(S) FOR DO/EO/US Inhee Lee, et al. | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | |
| Items 11 to 20 below concern document(s) or information included: | | |
| <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4)). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4)). 20. <input checked="" type="checkbox"/> Other items or information. | | |
| <u>Response to Notification of Missing Requirements; copy of Notification of Missing Requirements; return receipt postcard.</u> | | |

Rec'd CT/PTO 07 MAR 2005

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|--|------------------------|---|------|--------------------------------------|--------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/500,023 | | INTERNATIONAL APPLICATION NO. PCT/KR02/01540 | | ATTORNEY'S DOCKET NUMBER 7137P001 | |
| The following fees have been submitted | | | | CALCULATIONS | PTO USE ONLY |
| 21. <input type="checkbox"/> Basic national fee \$300 | | | | \$ | |
| 22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33 (1)-(4) \$100 All other situations \$200 | | | | \$ | |
| 23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office \$400 All other situations \$500 | | | | | |
| | | | | TOTAL OF 21, 22 and 23 = | \$ |
| Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | | RATE | |
| - 100 = | -100 / 50 = | | | x | \$ |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | 130.00 |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 11 - 20 = | 0 | x | \$ | 0.00 |
| Independent claims | 2 - 3 = | 0 | x | \$ | 0.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | | + | \$ |
| | | | | TOTAL OF ABOVE CALCULATIONS = | \$ 0.00 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees are reduced by 1/2. | | | | \$ | 0.00 |
| | | | | SUBTOTAL = | \$ 0.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | <input type="checkbox"/> | \$ |
| | | | | TOTAL NATIONAL FEE = | \$ 0.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ | 40.00 |
| | | | | TOTAL FEES ENCLOSED = | \$ 170.00 |
| 03/10/2005 LLANDGRA 00000093 10500023 | Amount to be refunded: | | | | \$ |
| 01 FC:16 7 130.00 OP | charged: | | | | \$ |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 170 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 02-2666 in the amount of \$ 0.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2666. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b) must be filed and granted to restore the application to pending status. | | | | | |
| March 1, 2005 DATE | | | | SIGNATURE | |
| <p>SEND ALL CORRESPONDENCE TO: Blakely, Sokoloff, Taylor & Zafman LLP 12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025 Telephone: (408) 720-8300</p> <p>Stephen M. De Klerk NAME</p> <p>46,503 REGISTRATION NUMBER</p> | | | | | |

Attorney's Docket No.: 007137.P001

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
Inhee Lee, et al.)
Application No.: 10/500,023) Examiner: Not Yet Assigned
Filed: June 21, 2005) Art Unit: Not Yet Assigned
For: NEW PROCESS FOR THE)
PREPARATION OF OPTICALLY)
ACTIVE 2-[6-(SUBSTITUTED)
ALKYL)-1,3-DIOXAN-4-YL])
ACETIC ACID DERIVATIVES)

)

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371 IN THE
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Dear Sir:

In response to the Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) mailed on January 11, 2005, please find enclosed:

- (1) The Declaration and Power of Attorney executed by the inventors in compliance with 37 CFR § 1.497(a) and (b);
- (2) A check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. § 1.492(e) (late oath or declaration);

(3) A copy of the Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US).
If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP



Stephen M. De Klerk
Reg. No. 46,503

Dated: March 1, 2005

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408) 720-8300

First-Class Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450 on:

March 1, 2005

Date of Deposit

Linda K. Brost

Name of Person Mailing Correspondence

Linda K. Brost

Signature

March 1, 2005

Date

SMD

Chongzwe Pharma



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/500,023 | Inhee LEE | 7137P001 |

INTERNATIONAL APPLICATION NO.

PCT/KR02/01540

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
| 08/13/2002 | 12/20/2001 |

Blakely Sokoloff Taylor & Zafman
 12400 Wilshire Boulevard, 7th Floor
 Los Angeles, CA 90025

RECEIVED

JAN 14 2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
LOS ANGELES

CONFIRMATION NO. 2721
371 FORMALITIES LETTER



OC000000014923647

Date Mailed: 01/11/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/21/2004
- Copy of the International Search Report filed on 06/21/2004
- Copy of IPE Report filed on 06/21/2004
- Preliminary Amendments filed on 06/21/2004
- U.S. Basic National Fees filed on 06/21/2004
- Priority Documents filed on 06/21/2004

ENTERED

JAN 14 2005

ATUS DB-LA

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/500,023 | PCT/KR02/01540 | 7137P001 |

FORM PCT/DO/EO/905 (371 Formalities Notice)